

B2 14. (amended) A credit-card-sized card comprising: a first face, a second face, and a tread comprising a plurality of generally hemispherically shaped raised dimples for improving the gripability of said card, wherein said plurality of raised dimples are disposed on one of said first and second faces, said one face coming into contact with a user to improve gripability.

Remarks

Upon entry of the foregoing amendment, claims 1-33 are pending in the application, with claims 1, 14, and 24 being the independent claims. Claims 1 and 14 are amended to specify that the structure of the raised dimples are "generally hemispherically shaped." These amendments are believed to introduce no new matter, and their entry is respectfully requested. In this regard, the Examiner is referred to, for example, FIG. 5B of the application as originally filed. Attached hereto is a marked-up version of the changes made to the claims by the current amendment.

Based on the above amendment and the following Remarks, Applicants respectfully request that the examiner reconsider all outstanding objections and rejections and they be withdrawn.

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 1-4, 6-17, 19-27, and 29-33 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,096,228 to Rinderknecht ("the '228 patent"). For at least the following reasons, Applicants respectfully submit that this rejection cannot be properly maintained.

As amended, independent claim 1 requires a credit-card-sized card comprising a front, a back, and a tread comprising a plurality of generally hemispherically shaped raised dimples for improving the gripability of the card. This claimed structure is neither disclosed nor suggested by the '228 patent. As described in Applicants' response of June 12, 2001, the '228 patent, at FIG. 7, discloses an embodiment in which a non-slip engaging means is an impression recessed within the surface of the card. '228 Patent at col. 4, lines 23-25 and FIG. 7. Apparently as a result of this impression, a slight protrusion occurs on the opposite face of the card. This protrusion, which is simply the portion of the card physically displaced due to the procedure

creating the impression, is structurally distinct from the generally hemispherically shaped raised dimples as claimed.

Furthermore, Applicants' respectfully disagree with Examiner's characterization of the arguments regarding the '228 patent in Applicants' response of June 12, 2001. The arguments were not related to the manner in which the claimed device is intended to be employed. Rather, these arguments were directed to the teachings of the '228 patent, and, in particular, the mechanism of the non-slip engaging means taught therein. Clearly, the non-slip engaging means taught by the '228 patent is an impression in the surface of the card or a throughbore. The '228 patent does not teach or suggest that the slight protrusion shown in FIG. 7 is a "non-slip" engaging means and there is no indication that this protrusion would function as such a means. In any event, as described above, the generally hemispherically shaped dimples as claimed are structurally distinct from the slight protrusion shown in FIG. 7 of the '228 patent. For at least the foregoing reasons, it is respectfully submitted that the Examiner's rejection of claim 1 has been obviated and claim 1, and the more narrow claims depending therefrom, are patentable over the cited documents.

As amended, claim 14 requires a credit-card-sized card comprising first and second faces, and a tread comprising a plurality of generally hemispherically shaped raised dimples disposed on the face of the card that comes into contact with a user to improve gripability. As described above, the '228 patent does not disclose or suggest a card with generally hemispherically shaped raised dimples. Thus, it is respectfully submitted that claim 14, and the more narrow claims depending therefrom, are patentable over the cited documents.

Independent claim 24 requires a credit-card-sized card comprising first and second faces, and a tread comprising a plurality of craters disposed on one of the faces. The craters comprise a lip raised slightly above the face of the card and a center indented slightly into the face. Contrary to Examiner's assertion, the '228 patent does not disclose or suggest the crater structure of claim 24. As described above, FIG. 7 of the '228 patent shows an impression recessed in the surface of the card and what appears to be a slight protrusion on the opposite face. The structure of claim 24, on the other hand, requires craters, which have a lip raised slightly above the face of the card and a center indented slightly into the face. An impression in the surface of the card, and a slight protrusion on the other side does not teach or suggest this crater structure as claimed.

For at least these reasons, it is respectfully submitted that claim 24, and the more narrow claims depending therefrom, are patentable over the cited documents.

Finally, the Examiner has rejected claims 5, 18, and 28 under 35 U.S.C. § 103 as being unpatentable over the '228 patent in view of U.S. Patent No. 4,443,027 to McNeely *et al.* ("the '027 patent"). Claims 5, 18, and 28 which depend from claims 1, 14, and 24 respectively, recite the additional limitation of a computer chip embedded in the card for the storage of digital information. However, as described above, the claims 1, 14, 24 are patentable over the cited documents. Thus, it is respectfully submitted that the rejection of claims 5, 18, and 28 under 35 U.S.C. § 103 cannot properly be maintained.

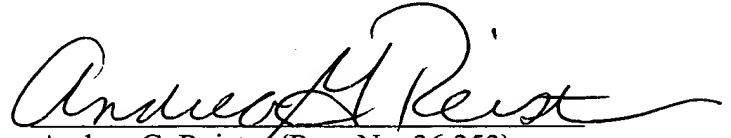
For at least the foregoing reasons, Applicants respectfully submit that the rejections under 35 U.S.C. § 103 cannot properly be maintained. Accordingly, Applicants respectfully submit that claims 1-33 as presented herein are in condition for allowance.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



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Attachment to Reply and Amendment Under 37 C.F.R. § 1.111

MARKED-UP CLAIMS

1. (amended) A credit-card-sized card comprising a front, a back, and tread comprising a plurality of generally hemispherically shaped raised dimples for improving the gripability of said card.

14. (amended) A credit-card-sized card comprising: a first face, a second face, and a tread comprising a plurality of generally hemispherically shaped raised dimples for improving the gripability of said card, wherein said plurality of raised dimples are disposed on one of said first and second faces, said one face coming into contact with a user to improve gripability.